



Show Details

Jefferson: Response to your October 26 and November 10, 2011 correspondence

Tue 11/29/2011 3:00 PM - 3:30 PM

Attendance is **required** for Cynthia Hutchison
Chair: john.heer@electrolux.com
Sent By: John Heer <john.heer@electrolux.com>
Location: 866-270-7427; *8261005*

Required:	Cynthia Hutchison/R7/USEPA/US
Optional:	alistair_macdonald@golder.com, Doug.Arnold@alston.com, ducci@qmg-inc.com, jim_peace@golder.com, Denise Roberts/R7/USEPA/US
Time zones:	This entry was created in a different time zone. The time in that time zone is: Tue 11/29/2011 4:00 PM EST - 4:30 PM EST

Description

Let's just keep it at 3 PM Central, 4 PM Eastern, Tuesday, November 29, 2011. Even less people are available on Tuesday.

I am looking forward to our conversation on Electrolux.

Cynthia L. Hutchison
Environmental/Geological Engineer
U.S. EPA, Region 7
901 N 5th Street
Kansas City, Kansas 66101
Phone (913) 551-7478
FAX (913) 551-9478
hutchison.cynthia@epa.gov



From: John Heer <john.heer@electrolux.com>
To: Cynthia Hutchison/R7/USEPA/US@EPA, Denise Roberts/R7/USEPA/US@EPA
Cc: "Macdonald, Alistair" <alistair_macdonald@golder.com>, "Arnold, Doug" <Doug.Arnold@alston.com>, Douglas Ucci

<ducci@qmg-inc.com>, "jim_peace@golder.com"
<jim_peace@golder.com>
Date: 11/21/2011 03:30 PM
Subject: Re: Jefferson: Response to your October 26
and November 10,
2011 correspondence

Ms. Hutchison and Ms. Roberts,

Perhaps the next day - November 30 in the morning
might be best? I am
available from 8 AM - 11 AM Eastern.

John A. Heer
Assistant General Counsel
Electrolux North America, Inc.
20445 Emerald Parkway, S.W. - Suite 250
Cleveland, Ohio 44135
216-898-2332 (direct phone)
706-447-6266 (direct fax)
john.heer@electrolux.com

From: "Arnold, Doug" <Doug.Arnold@alston.com>
To: "Hutchison.Cynthia@epamail.epa.gov"
<Hutchison.Cynthia@epamail.epa.gov>,
"Roberts.Denise@epamail.epa.gov"
<Roberts.Denise@epamail.epa.gov>
Cc: John Heer <john.heer@electrolux.com>,
"Macdonald, Alistair"
<alistair_macdonald@golder.com>,
"jim_peace@golder.com"
<jim_peace@golder.com>, Douglas Ucci
<ducci@qmg-inc.com>
Date: 11/21/2011 04:25 PM
Subject: Jefferson: Response to your October 26
and November 10,
2011 correspondence

Dear Ms. Hutchison: I will be flying that day to Los
Angeles and

unfortunately, will not land in time for a 2 PM central call. I can participate in a call that day after 3 PM central.
Doug

-----Original Message-----

From: Hutchison.Cynthia@epamail.epa.gov [mailto:Hutchison.Cynthia@epamail.epa.gov]
Sent: Monday, November 21, 2011 2:57 PM
To: Roberts.Denise@epamail.epa.gov
Cc: John Heer; Macdonald, Alistair; jim_peace@golder.com; Arnold, Doug; Douglas Ucci
Subject: Re: Response to your October 26 and November 10, 2011 correspondence

I has come to my attention that our entire team cannot make the 3 PM central time meeting. If we could move this to 2 PM central, everyone can attend. Would that be agreeable to you?

Cynthia L. Hutchison
Environmental/Geological Engineer
U.S. EPA, Region 7
901 N 5th Street
Kansas City, Kansas 66101
Phone (913) 551-7478
FAX (913) 551-9478
hutchison.cynthia@epa.gov

From: Denise Roberts/R7/USEPA/US
To: John Heer
<john.heer@electrolux.com>
Cc: Cynthia Hutchison/R7/USEPA/US@EPA, "Macdonald, Alistair"
<alistair_macdonald@golder.com>, "Macdonald, Alistair"
<alistair_macdonald@golder.com>, jim_peace@golder.com, Doug.Arnold@alston.com, Doug.Arnold@alston.com,

Douglas Ucci
<ducci@qmg-inc.com>

Date: 11/21/2011 09:55 AM
Subject: Re: Response to your October
26 and November
10, 2011
correspondence

HI- Yes, Tuesday November 29 at 3:00 CST is fine.
Let us know the
call-in number. Also, I do not see a reference to a
September 9 memo in
the e-mail. Please clarify.

Denise Roberts
roberts.denise@epa.gov
(913)551-7559
fax: (913)551-7925

From: John Heer
<john.heer@electrolux.com>
To: Denise Roberts/R7/USEPA/US@EPA
Cc: Cynthia Hutchison/R7/USEPA/US@EPA,
"Macdonald,
Alistair"
<alistair_macdonald@golder.com>, "Macdonald, Alistair"
<alistair_macdonald@golder.com>, jim_peace@golder.com,
Doug.Arnold@alston.com, Doug.Arnold@alston.com,
Douglas Ucci
<ducci@qmg-inc.com>
Date: 11/18/2011 02:47 PM
Subject: Re: Response to your October
26 and November
10, 2011
correspondence

Denise,

Thanks very much for your reply. As you anticipated,
getting everyone

together for a call next week has proven to be difficult. Can we instead plan to have the conference call on Tuesday, November 29th at 4:00 PM Eastern / 3:00 PM Central? If this works for you and your team, I can circulate a call-in number for everyone. Please let me know.

Also, could you please forward the September 9, 2011 memo which is referenced in your email below? It did not come through as attached to your message. Thank you.

John A. Heer
Assistant General Counsel
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Cleveland, Ohio 44135
216-898-2332 (direct phone)
706-447-6266 (direct fax)
john.heer@electrolux.com

From: <Roberts.Denise@epamail.epa.gov>
To: John Heer <john.heer@electrolux.com>
Cc: <Hutchison.Cynthia@epamail.epa.gov>
Date: 11/17/2011 02:01 PM
Subject: Re: Response to your October 26 and November 10, 2011 correspondence

Dear Mr. Heer:

Yes, an extension on the RFI until December 5, 2011 is acceptable.

Denise Roberts
roberts.denise@epa.gov
(913)551-7559
fax: (913)551-7925

From: John Heer
<john.heer@electrolux.com>
To: Denise Roberts/R7/USEPA/US@EPA
Cc: Cynthia Hutchison/R7/USEPA/US@EPA
Date: 11/17/2011 11:43 AM
Subject: Re: Response to your October
26 and November
10, 2011
correspondence

Dear Ms. Roberts:

Thank you for your email. I appreciate your offer to meet by phone to talk further and need to check with others here who might want to participate about their availability next week. I will do my best to confirm the proposed day and time by this Friday. In the meantime, I would greatly appreciate it if EPA would agree to extend the deadline for the RFI response until Monday, December 5th.

Please let me know at your earliest convenience if that revised deadline is acceptable.

Regards,

John A. Heer
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706-447-6266 (direct fax)
john.heer@electrolux.com

From: <Roberts.Denise@epamail.epa.gov>

To: <john.heer@electrolux.com>
Cc: <Hutchison.Cynthia@epamail.epa.gov>
Date: 11/16/2011 05:19 PM
Subject: Response to your October 26 and
November 10, 2011
correspondence

Dear Mr. Heer:

This letter is in response to your October 26, 2011,
and November 10,
2011, correspondence regarding the U.S. Environmental
Protection

Agency's (EPA) request to perform investigatory work
at the Electrolux

facility located in Jefferson, Iowa. We welcome the
opportunity to

further discuss our requests, and propose that we do
that by

teleconference at 1:00 central time on November 21st
or November 22nd.

Currently, EPA is requesting that Electrolux perform
an investigation of

environmental contamination on a collaborative basis
pursuant to the

Statement of Work attached to our October 13, 2011
letter. Please note

that while at this time EPA is amenable to the
company's performance of

this work without a formal order, based on information
currently

available EPA believes there is sufficient data to
establish

jurisdiction pursuant to RCRA Section 3013. RCRA
Section 3013 provides

EPA with authority to issue an Order requiring
sampling at any facility

where hazardous waste has been stored, treated, or
disposed of, or where

any release of such which may cause a substantial
hazard to human health

or the environment.

According to the May 13, 2011 site assessment report prepared by Golder Associates on your behalf, 1,1,1- Trichloroethane (1,1,1- TCA); 1,1,2-Trichloroethane (1,1,2- TCA); Tetrachloroethene; Trichloroethene and 1,2- Dichloroethane were all detected in groundwater at levels exceeding Maximum Contaminant Levels (MCLs) as set by the Clean Water Act. Examples of results are 1,1,1-TCA at levels of 4,590 micrograms per liter (ug/L) with an MCL of 200 ug/L; 1,1,2- TCA at 35.1 ug/L with an MCL of 5 ug/L and Trichloroethylene at 189,000 ug/L, significantly above the MCL of 5 ug/L.

In addition, EPA conducted a Screening Level Assessment of potential human health risks as reflected in the attached memorandum dated September 9, 2011. Based on this assessment, EPA has determined that the data indicate the levels of contamination in groundwater may pose significant health risks.

Your letter also requests copies of certain orders or other agreements for facilities performing corrective action work in Iowa. To further clarify, as stated above EPA believes that there is sufficient information to establish jurisdiction to perform investigatory work at the Electrolux facility pursuant to RCRA 3013, regardless of the facility's past generator status. You may find an example of a Section 3013 RCRA order on EPA's Region website at <http://r7atwork.r07.gov/intranet.indiex.html/>

Program/Office of Regional
Counsel/ Enforcement Law/ Enforcement/ Order
#RCRA-07-2010-0012.

Again, we welcome the opportunity to further discuss
these issues by
teleconference on November 21st or 22nd. Please
advise of the date that
works best for you.

Denise Roberts
roberts.denise@epa.gov
Senior Assistant Regional Counsel
(913)551-7559
fax: (913)551-7925

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Personal Notes
